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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/459,290 | 12/17/1999 | JOACHIM HAGMEIER | GE9-98-075 | 9966 |

7590 07/22/2004

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| EXAMINER |
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MCARDLE, JOSEPH M

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| ART UNIT | PAPER NUMBER |
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2132

DATE MAILED: 07/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/459,290

Applicant(s)

HAGMEIER ET AL.

Examiner

Joseph McArdle

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 June 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4-7,9,10,12,14 and 17-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-7,9,10,12,14 and 17-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12/17/1999 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 6/7/2004 has been entered. Claims 1, 2, 4-7, 9, 10, 12, 14 and 17-19 are pending. Applicant's arguments have been considered but are moot in view of the new grounds of rejection.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1, 2, 4-7, 9, 10, 12, 14 and 17-19 are rejected under 35 U.S.C. 102(e) as being anticipated by McCulligh (U.S. Patent No. 6643784). In regards to claims 1, 6, 17 and 19, McCulligh discloses a design that pertains to a system and method for facilitating password generation. McCulligh further discloses in column 4, lines 15-22 that a user inputs password characters

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(identifying characteristics) forming a password and a password character evaluator continuously evaluates the inputted characters for conformance with a set of character evaluation rules (check criteria). This disclosure meets the exact limitations set forth under claims 1, 6, 17 and 19 that call for having a user input an identifying characteristic (password characters) and checking it as it is being inputted and without user intervention for conformance with one or more check criteria. McCulligh then discloses in column 6, lines 14-24 that if it is determined that all characters entered by a user meet the password rules then the system will be enabled to accept the new password selected by the user. This disclosure meets the remaining limitations set forth under claims 1, 6, 17 and 19 that call for enabling a selection facility for actuation by a user to transmit the identifying characteristic to an identifying characteristic processing device of the identifying characteristic meets the check criteria because in the McCulligh reference the user can only have a password processed (enabled) if all the rules (check criteria) are met and if they are not met the password will not be accepted (remains disabled).

4. In regards to claims 2 and 7, McCulligh discloses in column 6, lines 18-24 that status feedback rule data indicates to a user if the entered password is going to be allowed or not allowed by either enabling the password changing system to accept the new password or disabling the password changing system thereby forcing a user to select a new password. This disclosure meets the limitations set forth under claims 2 and 7 that call for notifying the user as to whether the selection facility has been enabled.

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5. In regards to claims 4 and 9, McCulligh discloses in column 4, lines 15-22 that the password changing evaluator operates on a per character basis and continuously evaluates each character for conformance with a set of rules (check criteria) as they are entered. This disclosure meets the exact limitations set forth under claims 4 and 9 that call for checking each component of an identifying characteristic individually if the identifying characteristic comprises several components.

6. In regards to claims 5 and 10, McCulligh discloses in column 6, lines 22-24 that if the password rule data indicates that the entered data deviated from the accepted rules then the system will abort that specific input process and return back to another input process and await the receipt of a new character. This disclosure meets the limitations set forth under claims 5 and 10 that call for aborting the input process if certain check criteria are deviated from.

7. In regards to claim 12, McCulligh discloses a user interface in figure 4 that supplies a box for allowing a user to reenter a selected password for confirmation purposes. This disclosure meets the limitations set forth under claim 12 that call for allowing the identifying characteristic to be a password and also matching a first password entry with a second password entry.

8. In regards to claims 14 and 18, McCulligh discloses in column 7, lines 1-8 how all of the disclosed embodiments of the reference (as described in the aforementioned rejections of claims 1, 6, 17, and 19) may be implemented using a programmed computer. This disclosure meets the exact limitations set forth under claims 14 and 18.

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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph McArdle whose telephone number is (703) 305-7515. The examiner can normally be reached on Weekdays from 8:00 am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on (703) 305-1830. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Joseph McArdle
Examiner
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jmm